UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
WILSON, ROBERT W

ART UNIT	PAPER NUMBER
2661	

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)		
Office Action Summary	10/062,488	KASA ET AL.		
	Examiner	Art Unit		
	Robert W. Wilson	2661		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 February 2002</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-11</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-11</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.
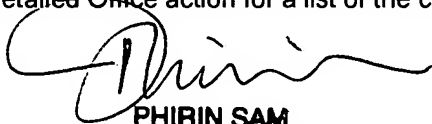
Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

PHIRIN SAM
PRIMARY EXAMINER

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10/24/05</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

Specification

1.   The disclosure is objected to under 37 CFR 1.71, as being so incomprehensible as to

preclude a reasonable search of the prior art by the examiner. The specification appears to be a

literal translation into English and as a result the following section was written in idiomatic

English making this section incomprehensible; therefore, the examiner objects to Pg 5 line 11

through Pg 14 line 5. The applicant has used substantially the same idiomatic English

phraseology in the specification as used in claims 1-11. For example, the following items are not

understood: The specification utilizes a slash between terms. The specification never defines

whether the slash means "and" or "or"; thus, making it incomprehensible to interpret.

For example the specification defined "validity/invalidity" on Pg 5 line 18, Pg 6 line 12, Pg 10

line 6, Pg 10 line 9, Pg 10 line 18, Pg 10 line 22, Pg 10 line 25, Pg 11, line 2, Pg 11 line 21, Pg

12 line 9, Pg 12 line 29, Pg 13 line 1, Pg 13 line 25, Pg 20 line 17, and Pg 20 line 22

respectively.

For example the specification defined "detecting/non detecting" on Pg 10 line 8.

For example the specification defined "detection/non detection" on Pg 10 line 12, Pg 14 line 18,

Pg 14 Line 24, Pg 14 line 30, and Pg 15 line 5 respectively.

For example the specification defined "validating/invalidating" on Pg 10 line 28, Pg 12 line 17,

and Pg 21 line 8.

For example the specification defined "valid/invalid" on Pg 17 line 19.

For example the specification defined "object/non object" on Pg 19 line 28 and Pg 21 line 9.

Applicant is required to submit an amendment which clarifies the disclosure so that the

examiner may make a proper comparison of the invention with the prior art.

Applicant should be careful not to introduce any new matter into the disclosure (i.e.,

matter which is not supported by the disclosure as originally filed).

A shortened statutory period for reply to this action is set to expire ONE MONTH or

THIRTY DAYS, whichever is longer, from the mailing date of this letter.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

3.   Claims 2-11 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

Referring to claim 2, the limitation "input disconnection detecting switchover controlling means

for suspending an input disconnection detecting operation for transmission grant information of

the input disconnection detecting means for a fixed time in consideration of a processing time of

the subscriber units from a time when the message and the polling information have been

completely transmitted" is unclear. It is unclear whether the network unit is monitoring for

receipt of a cell which shows that that subscriber unit has switched over to producing a different

type of OAM cell based upon input from the network unit or that the network unit is actually

switching over. The timing limitation in this claim is also unclear. The processing during the

fixed time consideration is also unclear.

Referring to claim 3, the limitation "input disconnection detecting switchover controlling means

for monitoring a detection result of the input disconnection detecting means from a time when

the message and the polling information have been completely transmitted and for

validating/invalidating a function for the transmission grant information of the input

disconnection detecting means after respectively detecting/not detecting an imputed cell of

validity/invalidity for the transmission grant information."

It is unclear whether the network unit is monitoring for receipt of a cell which shows that that

subscriber unit has switched over to producing a different type of OAM cell based upon input

from the network unit or that the network unit is actually switching over.   The timing limitation

in this claim is also unclear.   The processing during the fixed time consideration is also unclear.

It is unclear what is being is being "validating/invalidating" as well as "detecting/not detecting",

and "validity/invalidity".

In addition claim 3 is unclear because the phrases "validating/invalidating", "detecting/not

detecting" and "validity/invalidity" in the claim language. The examiner cannot determine from

the specification the same phraseology or the claim whether the slash means "and" or "or".

Referring to claim 4, claim 4 is unclear because it utilizes the phrases "validating/invalidating",

and "validity/invalidity" in the claim language. The examiner cannot determine from the

specification because the specification uses the same phraseology or the claim whether the slash

means "and" or "or".

Referring to claim 5, claim 5 is unclear because it utilizes the phrases "validity/invalidity", and

"validating/invalidating" in the claim language. The examiner cannot determine from the

specification because the specification utilizes the same phraseology or the claim whether the slash means "and" or "or".

Referring to claim 6, claim 6 is unclear because it utilizes the phrase "subscriber unit identifying means for identifying a kind of transmission grant information based on the detected transmission grant information and for distributing an inputted cell" in the claim language. It is unclear as to whether the network unit or the subscriber unit is "distributing an inputted cell ". What is the network unit verifying or identifying based upon the transmission grant information sent from the network unit to the subscriber unit?

Referring to claim 7, claim 7 is unclear because it utilizes the phrase " means for notifying a switchover of validity/invalidity of the transmission grant information of the subscriber units by a message and means for executing the switchover of the transmission grant information within the network unit itself after a fixed time in consideration of a processing time of the subscriber units from a time of the notification and the subscriber units having means for executing the switchover of the transmission grant information within the subscriber units themselves after the fixed time form a reception of the message" . What is being switched over? Also it is unclear what timing processing is done during the fixed time. In addition claim 7 utilizes "validity/invalidity" which is also unclear because the examiner cannot determine from the specification because the specification utilizes the same phraseology or the claim whether the slash means "and" or "or".

Referring to claim 8, the phrase " the subscriber units having means for recognizing a switchover of validity/invalidity of plural kinds of transmission grant information set in a message, and means for transmitting a message to the network unit when recognizing the switchover by a

message from the network unit, and the network unit having input disconnection detecting means for detecting a disconnection state of an inputted cell and means for executing the switchover of the transmission grant information within the network unit itself when receiving a message from the subscriber units and for validating/invalidating the input disconnection detecting means. What is being switched over? What input is being disconnected?

In addition claim 8, utilizes "validity/invalidity" and "validating/invalidating" which is also unclear because the examiner cannot determine from the specification because the specification utilizes the same phraseology or the claim whether the slash means "and" or "or".

Referring to claim 9, the phrase " means for notifying a switchover of validity/invalidity of the mini cell transmission grant information to the subscriber units by the message, and means for executing the switchover of the validity/invalidity of the mini cell transmission grant information within the network unit itself after a fixed time in consideration of a processing time of the subscriber units form the time of the notification and the subscriber units having means for executing the switchover of the mini cell transmission grant information within the subscriber units themselves after the fixed time form a reception of the message" ? What is being switched over? The processing time steps during the fixed time are also confusing. In addition claim 9, utilizes "validity/invalidity" which is also unclear because the examiner cannot determine from the specification because the specification utilizes the same phraseology or the claim whether the slash means "and" or "or".

Referring to claim 10, the phrase " the subscriber units having means for recognizing plural settings of mini cell transmission grant information set in a message, and means for transmitting a message to the network unit when recognizing a switchover of the setting by a message from

the network unit, and the network unit having input disconnection detecting means for detecting

a disconnection state of an inputted cell, and means for executing the switchover of the setting of

the min cell transmission grant information within the network unit itself when receiving a

message from the subscriber units and for validating/invalidating the input disconnection

detecting means.". What is being switched over? What is being disconnected? What is being

validated/invalidated? In addition claim 10, utilizes "validating/invalidating" which is also

unclear because the examiner cannot determine from the specification because the specification

utilizes the same phraseology or the claim whether the slash means "and" or "or".

Drawings

4.   Figure 27 should be designated by a legend such as --Prior Art-- because only that which

is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR

1.121(d) are required in reply to the Office action to avoid abandonment of the application. The

replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR

1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted

by the examiner, the applicant will be notified and informed of any required corrective action in

the next Office action. The objection to the drawings will not be held in abeyance.

The applicant should note that on page 5 line 11 of the specification it is stated that Fig 27 is

prior art.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6.   Claims 5, 6, 8, & 10-11 are rejected under 35 U.S.C. 102(A) as being anticipated by

admitted prior art.

Referring to claim 5, the admitted prior art teaches: Communication system per (Fig 27 of the

specification);

Network Unit (Network Unit OLT per Fig 27);

Subscriber Units which are connected to the network units (Subscriber Unit ONU per Fig 27 and

Units per Pg 5 line 15);

The subscriber units having means for recognizing a setting of validity/invalidity (21 per Fig 27

or means) of transmission grant information in a message from the network unit; and means for

transmitting a message (26 per Fig 27) to the network unit when recognizing the setting of the

validity/invalidity from the message

The network unit (Fig 27) having the means (2 per Fig 27) for generating a message. Input

disconnection detecting means (4 per Fig 27) for detecting a disconnection state of an inputted

cell, and means for validating/invalidating (3 per Fig 27) the input disconnection detecting

means (4 per Fig 27) when receiving a message from the subscriber units.

Referring to claim 6, the admitted prior art teaches: Communication system per (Fig 27 of the

specification);

Network Unit (Network Unit OLT per Fig 27);

A plurality of Subscriber Units which are connected to the network units (Subscriber Unit ONU

per Fig 27 and Units per Pg 5 line 15 connected to the Network Unit OLT);

The network unit (Fig 27) having means for managing plural (2 per Fig 27) kinds of transmission

grant information;

The applicant broadly claims "detecting grant information coincident with transmission grant

information set from the polling information"

means for performing a polling by transmission grant information (3 per Fig 27) means for

detecting transmission grant information (3 per Fig 27) with the transmission grant information

set from the polling information of a same subscriber unit received by the polling .

and subscriber unit identifying means for identifying a kind of a transmission grant information

based on the detected transmission grant information and for distributing an inputted cell (3 per

Fig 27 inherently can identify the kind of transmission grant information based upon received

messages from the subscriber unit which is received as a part of the polling which the examiner

has interpreted as coincident)

Referring to claim 8, the admitted prior art teaches: Communication system per (Fig 27 of the

specification);

Network Unit (Network Unit OLT per Fig 27);

A plurality of subscriber units which are connected to the network units (Subscriber Unit ONU

which are connected to the network units per Fig 27 and Units per Pg 5 line 15);

The subscriber units having means for recognizing a switchover of validity/invalidity (21 per Fig

27 or means where grant messages inherently are made upon of plurality of information is a

message) of plural kinds of transmission grant information set in a message from the network

unit;

the network unit (Fig 27) having input disconnection detecting means (4 per Fig 27) for detecting

a disconnection state of an inputted cell, the network unit (27) also has the for receiving

messages (4 per Fig 27) from the subscriber unit.

Means for executing a switchover (5 per Fig 27) ;

Means for receiving validating/invalidating input disconnection detecting (4 per Fig 27)

Referring to claim 10, the admitted prior art teaches: Communication system per (Fig 27 of the

specification);

Network Unit (Network Unit OLT per Fig 27);

A plurality of subscriber units which are connected to the network units (Subscriber Unit ONU

which are connected to the network units per Fig 27 and Units per Pg 5 line 15);

The subscriber units (Fig 27) having means for recognizing plural setting of mincell transmission

grant information set in a message (23 per Fig 7) means for transmitting a message to the

network unit when recognizing a switchover of the setting by a message from the network group

(26 per Fig 27)

the network unit (Fig 27) having input disconnection detecting means (4 per Fig 27) for detecting

a disconnection state of an inputted cell, and for receiving a message form the subscriber units

for validating/invalidating the input disconnection detecting means

means for executing the switchover (5 per Fig 27) of the setting of the mini cell transmission

grant information within the network unit itself when receiving a message from the subscriber

units and for validating/invalidating the input disconnection detecting means (4 per Fig 27)

execution of a switchover.

Regarding claim 11, the admitted prior art teaches OAM cell transmission grant which inherently

has a physical layer as well as data cell validating/invalidating of cells associated with

transmission grant information per Pg 5 line 11-Pg 8 line 10.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

8.   Claims 1-4, 7, & 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

admitted prior art in view of Buhler (U.S. Patent No.; 6,192,036)

Referring to claim 1, the admitted prior art teaches: Communication system per (Fig 27 of the

specification);

Network Unit (Network Unit OLT per Fig 27);

Subscriber Units which are connected to the network units (Subscriber Unit ONU per Fig 27 and

Units per Pg 5 line 15);

The network unit (Fig 27) having the means (2 per Fig 27) for generating a message in which

validity of transmission grant information is set for the subscriber units;

means for generating polling information (3 per Fig 27) to allocate a transmission grant to the subscriber units by using the transmission grant information

The admitted prior art does not expressly call for: means for suspending a transmission of the polling information for a fixed time in consideration of a processing time of the subscriber units from a time when the message has been completely transmitted.

Even though the above limitation is unclear the examiner has made assumptions relative to the interpretation of this claim limitation in order to provide an art rejection.

Buhler teaches: waiting for a response time after polling a station until the polled station has time to respond to the poll by sending a message back to the calling station before sending another poll to the station per Fig 1. It would have been obvious to one of ordinary skill in the art at the time of the invention to add suspending of transmission polling of Buhler to the network unit of the admitted prior art in order to insure that there is synchronization between the network unit and subscriber unit so that responses can be correctly received. It is within the level of one skilled in the art to implement the method of Buhler as a means in order for the method of Buhler to be performed on a device or apparatus.

Referring to claim 2, the admitted prior art teaches: Communication system per (Fig 27 of the specification);

Network Unit (Network Unit OLT per Fig 27);

Subscriber Units which are connected to the network units (Subscriber Unit ONU per Fig 27 and Units per Pg 5 line 15);

The network unit (Fig 27) having the means (2 per Fig 27) for generating a message in which

validity of transmission grant information is set for the subscriber units;

means for generating polling information (3 per Fig 27) to allocate a transmission grant to the

subscriber units by using the transmission grant information;

input disconnection detecting means for detecting a disconnection state of an inputted cell from

the subscriber unit (4 per Fig 7)

The admitted prior art does not expressly call for: input disconnection detecting switchover

controlling means for suspending an input disconnection detecting operation for the transmission

grant information of the input disconnection detecting means for a fixed time in consideration of

a processing time of the subscriber units from a time when the message and the polling

information have been completely transmitted.

 Even though the above limitation is unclear the examiner has made assumptions relative to the

interpretation in order to provide an art rejection to the applicant.

Buhler teaches: waiting for a response time after polling a station until the polled station has

time to respond to the poll by sending a message back to the calling station before sending

another poll to the station and then calling station processes the polled information per Fig 1 or

input disconnection detecting switchover controlling means for suspending an input

disconnection detecting operation for the transmission grant information of the input

disconnection detecting means for a fixed time in consideration of a processing time of the

subscriber units from a time when the message and the polling information have been completely

transmitted.

It would have been obvious to one of ordinary skill in the art at the time of the invention to

response time processing of Buhler to the system of the admitted prior art order to insure that

there is synchronization between the network unit and subscriber unit so that response which

tells whether the switchover had occurred can be correctly received. It is within the level of one

skilled in the art to implement the method of Buhler as a means in order for the method of Buhler

to be performed on a device or apparatus.

Referring to claim 3, the admitted prior art teaches: Communication system per (Fig 27 of the

specification);

Network Unit (Network Unit OLT per Fig 27);

Subscriber Units which are connected to the network units (Subscriber Unit ONU per Fig 27 and

Units per Pg 5 line 15);

The network unit (Fig 27) having the means (2 per Fig 27) for generating a message in which

validity of transmission grant information is set for the subscriber units;

means for generating polling information (3 per Fig 27) to allocate a transmission grant to the

subscriber units by using the transmission grant information;

input disconnection detecting means for detecting a disconnection state of an inputted cell from

the subscriber unit (4 per Fig 7)

The polling information generator (3 per Fig 27) will inherently received a message with polling

information which will be different after a switchover message has been sent to the from the

network unit to the subscriber unit (Switchover controller). The input disconnection detector

will monitor the input disconnection and message processor monitors for the

validating/invalidating info (means for monitoring validating/invalidating and means for

detecting/not detecting)

The admitted prior art does not expressly call for: input disconnection detecting switchover

controlling means for monitoring a detection result of the input disconnection detecting means

from a time when the message and the polling information have been completely transmitted and

for validating/invalidating a function for the transmission grant information of the input

disconnection detecting means after respectively detecting/no detecting an inputted cell of

validity/invalidity for the transmission grant information.

Buhler teaches: waiting for a response time after polling a station until the polled station has

time to respond to the poll by sending a message back to the calling station before sending

another poll to the station per Fig 1 which the examiner has interpreted as input disconnection

detecting switchover controlling means for monitoring a detection result of the input

disconnection detecting means from a time when the message and the polling information have

been completely transmitted and for validating/invalidating a function for the transmission grant

information of the input disconnection detecting means after respectively detecting/no detecting

an inputted cell of validity/invalidity for the transmission grant information.

It would have been obvious to one of ordinary skill in the art at the time of the invention to

response time processing of Buhler to the system of the admitted prior art order to insure that

there is synchronization between the network unit and subscriber unit so that response which

tells whether the switchover input detection is valid or not valid had occurred can be correctly

received. It is within the level of one skilled in the art to implement the method of Buhler as a

means in order for the method of Buhler to be performed on a device or apparatus.

Referring to claim 4, the admitted prior art teaches: the communication system as claimed in

claim 3 and a network unit (Fig 27) which performs validating/invalidating a function of the

input disconnecting detecting (4 per Fig 27) and switchover detecting (4 per Fig 27)

The admitted prior art does not expressly call for: timer

Buhler teaches: waiting for a response time after polling a station until the polled station has

time to respond to the poll by sending a message back to the calling station before sending

another poll to the station per Fig 1 which inherently has a timer.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add

the timer of Buhler to the communication system of the admitted prior art in order to insure that

the system waits a proper period for reception of response due to polling.

Referring to claim 7, the admitted prior art teaches: Communication system per (Fig 27 of the

specification);

Network Unit (Network Unit OLT per Fig 27);

Subscriber Units which are connected to the network units (Subscriber Unit ONU which are

connected to the network units per Fig 27 and Units per Pg 5 line 15);

The network unit having means for managing plural kinds of transmission grant information set

in a message (2 per Fig 2).

Means for notifying a switchover of validity/invalidity of the transmission grant information to

the subscriber units by message (2 per Fig 27 creates message and 3 per Fig 27 determined

valid/invalid)

The admitted prior art does not expressly call for: means for executing the switchover of the

transmission grant information within the network unit itself after a fixed time in consideration

of a processing time of the subscriber units from a time of the notification and the subscriber

units having means for executing the switchover of the transmission grant information within the

subscriber units themselves after the fixed time from a reception of the message.

Buhler teaches: waiting for a response time after polling a station until the polled station has

time to respond to the poll by sending a message back to the calling station before sending

another poll to the station per Fig 1 which the examiner has interpreted as means for executing

the switchover of the transmission grant information within the network unit itself after a fixed

time in consideration of a processing time of the subscriber units from a time of the notification

and the subscriber units having means for executing the switchover of the transmission grant

information within the subscriber units themselves after the fixed time from a reception of the

message.

It would have been obvious to one of ordinary skill in the art at the time of the invention to

response time processing of Buhler to the system of the admitted prior art order to insure that

there is synchronization between the network unit and subscriber unit so that response which

tells whether the switchover input detection has been performed. It is within the level of one

skilled in the art to implement the method of Buhler as a means in order for the method of Buhler

to be performed on a device or apparatus.

Referring to claim 9, the admitted prior art teaches: Communication system per (Fig 27 of the

specification);

Network Unit (Network Unit OLT per Fig 27);

A plurality of subscriber units which are connected to the network units (Subscriber Unit ONU

which are connected to the network units per Fig 27 and Units per Pg 5 line 15);

The network unit (Fig 27) having means for managing plural (2 per Fig 27) kinds of transmission

mini cell (Pg 7 line 25-Pg 8 line 10) grant information; means for notifying a switchover of

validity/ invalidity of the minicell transmission grant information of the subscriber units by the

message (3 per Fig 27)

the validity/invalidity bits are sent in the message between the subscriber unit and the network

unit in a minicell which would inherently show a switchover per Pg 5 line 11 through Pg 14 line

5.

The admitted prior art does not expressly call for: fixed time in consideration of a processing

time of the subscriber units from a time of the notification and the subscriber units having means

for executing the switchover of the minicell transmission grant information within the subscriber

units themselves after the fixed time from a reception of the message\

Buhler teaches: waiting for a response time after polling a station until the polled station has

time to respond to the poll by sending a message back to the calling station before sending

another poll to the station per Fig 1 which the examiner has interpreted as fixed time in

consideration of a processing time of the subscriber units from a time of the notification and the

subscriber units having means for executing the switchover of the minicell transmission grant

information within the subscriber units themselves after the fixed time from a reception of the

message

It would have been obvious to one of ordinary skill in the art at the time of the invention to

response time processing of Buhler to the system of the admitted prior art order to insure that

there is synchronization between the network unit and subscriber unit so that response which

tells whether the switchover input detection has been performed. It is within the level of one

skilled in the art to implement the method of Buhler as a means in order for the method of Buhler

to be performed on a device or apparatus.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075.

The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Chau T. Nguyen can be reached on 571/272-3126. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert W Wilson
Examiner
Art Unit 2661

RWW
2/7/06

PHIRIN SAM
PRIMARY EXAMINER